

**Health
Services**

Office of the
Medical Officer
of Health

PO Box 667
RPO Streetsville
Mississauga, ON
L5M 2C2
tel: 905-799-7700

peelregion.ca

**CLASS ORDER
FOR WORKPLACES WITH CASES OF SARS-CoV-2 (COVID-19)
BY ASSOCIATE MEDICAL OFFICER OF HEALTH
AMENDED RE: WORKPLACE CLOSURES**

Made pursuant to section 22(5.0.1) of the *Health Protection and Promotion Act*, RSO 1990, c H.7.

This class order replaces the class order dated March 2, 2021.

Date: April 20, 2021

TO: All owners or occupiers of a workplace premises or persons responsible for a business or organization in The Regional Municipality of Peel where employees or the public are regularly present and where there are two or more persons connected with that premises identified as:

- (a) diagnosed with COVID-19; or
- (b) having the signs and symptoms of COVID-19 and having been tested for COVID-19 and awaiting the results of their test; or
- (c) otherwise having reasonable grounds to believe they have symptoms of COVID-19; or
- (d) being a close contact of a person identified in (a), (b) or (c);

Note: A “close contact” means a person who:

- has face-to-face contact with a COVID-19 case while they were infectious (generally this is 48 hours before the case’s symptoms started until they are cleared from isolation); AND
- had 15 minutes or more of cumulative interaction within 2 metres of the case (regardless of whether the case or contact were wearing a mask)
OR
- has been identified by Peel Public Health or another public health unit as a close contact of a probable or confirmed case of COVID-19.

In certain workplace settings (e.g., health care setting), there may be additional factors that are considered to determine whether an individual is considered a close contact (e.g., use of recommended personal protective equipment).

AND TO: Persons working at a workplace premises in The Regional Municipality of Peel, including employees, those hired under third party agencies, contractors, vendors, volunteers or

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students, or any other persons present at the workplace premises on the relevant transmission dates (“workers”)

I, **Dr. Katherine Bingham**, Associate Medical Officer of Health for The Regional Municipality of Peel (“Peel Public Health”), pursuant to section 22(5.0.1) of the *Health Protection and Promotion Act* (“HPPA”), ORDER that you take the following actions:

1. Immediately exclude from the workplace premises and instruct persons outlined in (a), (b), (c) or (d) above as to the existence of the S. 22 Class Order of Dr. Lawrence Loh, Medical Officer of Health for The Regional Municipality of Peel, dated February 24, 2021, requiring that the persons confine themselves to their home or isolation facility, and await further instructions from Peel Public Health, and isolate themselves from others, until they have complied with the criteria issued by Peel Public Health, or are specifically advised by Peel Public Health that they are permitted to leave their home/isolation facility, or unless they require emergency medical attention.
2. Implement measures outlined in applicable provincial regulations, the advice of the Chief Medical Officer of Health of Ontario, and sector-specific guidance documents, focusing on the following:
 - 2.1 On-site screening of symptoms and exclusion of employees and visitors with any symptoms of COVID-19;
 - 2.2 Ensure occupancy of the premises is limited to only as many persons as can be accommodated such that 2m distancing between persons can be maintained;
 - 2.3 Ensure physical distancing of 2m between persons is maintained in all work areas, lunchrooms, change rooms, washrooms;
 - 2.4 If work arrangements or environment cannot be altered to allow the required 2m distancing at all times, the workers shall be provided with appropriate personal protective equipment including medical grade masks;
 - 2.5 Ensure signage regarding the taking of COVID-19 safety measures available from Peel Public Health or other authorities is available throughout the workplace premises;
 - 2.6 Ensure non-essential visitors are not permitted on the workplace premises to avoid crowding;
 - 2.7 Ensure face coverings are used correctly and consistently inside the workplace premises by all employees and visitors;
 - 2.8 Ensure availability of adequate hand hygiene supplies;
 - 2.9 Ensure appropriate cleaning and disinfection of workspaces with the focus on high touch surfaces;
 - 2.10 Support self-isolation for workers with COVID-19 symptoms and workers who are close contacts of COVID-19 cases.

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3. If two or more cases of COVID-19 are identified in connection with your workplace premises within a 14-day interval, immediately notify Peel Public Health at 905-799-7700, or for Caledon 905-584-2216.
4. When there are two or more cases of COVID-19 related to your workplace premises, or upon notification by Peel Public Health, ensure that the following steps are taken:
 - 4.1 Prepare the list of close contacts of these persons and provide the list to Peel Public Health, when requested;
 - 4.2 Maintain a log of all persons who attend on the workplace premises and make this log available if requested by Peel Public Health for contact tracing purposes;
 - 4.3 Notify the Ontario Ministry of Labour, Training and Skills Development and Workplace Safety and Insurance Board or other relevant governmental authorities;
 - 4.4 Provide contact details of the most responsible decision-maker at the workplace premises;
 - 4.5 Be readily available for contact by Peel Public Health to implement any additional measures immediately as required by Peel Public Health; and,
 - 4.6 Cooperate with infection prevention and control personnel from Peel Public Health including allowing entry into the workplace premises for inspection.
5. Workplace Closures
 - 5.1 During periods where:
 - (i) the geographic area of the Region of Peel is placed in the Grey – Lockdown zone under the Province of Ontario’s *Reopening Ontario (A Flexible Response to COVID-19) Act*, or the Response Framework and applicable Ontario regulations, OR
 - (ii) the Province of Ontario has enacted a Shutdown (“Shutdown Zone”) under applicable legislation, OR
 - (iii) under similar provisions in any successor legislation,AND when a workplace premises has five or more laboratory-confirmed COVID-19 cases within a 14 calendar-day period where the cases could reasonably have acquired their infection in the workplace premises, or where no obvious source of infection has been identified outside the workplace premises,

OR upon notification by Peel Public Health:

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THEN, as specified by notice in writing of Peel Public Health, either full workplace premises closure or shift or work area mass dismissal shall be implemented for a 10 calendar-day period or as specified by Peel Public Health.

5.2 Peel Public Health may in its judgement require, by notice in writing, other significant interventions, based on the above or an alternative set of criteria where it deems such interventions necessary to address circumstances at a specific workplace premises.

5.3 Peel Public Health may give notice verbally as an initial step to implement a closure or shift or work area mass dismissal or other significant intervention of a workplace premises and follow up with a notice in writing when possible.

6. Exemptions

The following workplace premises are exempt from the full closure requirements of s. 5 of this Order:

- Schools/childcare
- Pharmacies
- Healthcare facilities, including vaccination clinics
- Shelters
- First responder emergency services such as Fire, Paramedics, Police and their communication services
- Critical infrastructure such as water/wastewater treatment facilities, utilities, telecommunications and IT, transportation, energy
- Government services
- Services required to maintain the health of animals
- Other workplace premises exempted from closure by Peel Public Health

7. Access

Notwithstanding the above, temporary access to a closed place of business is authorized, unless otherwise prohibited by any applicable law, for the purposes of,

- (a) performing work at the place of business in order to comply with any applicable law;
- (b) allowing for inspections, maintenance and repairs to be carried out at the place of business;

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- (c) allowing for security services to be provided at the place of business; and
- (d) attending at the place of business temporarily,
 - (i) to deal with other critical matters relating to the closure or re-opening of the place of business, if the critical matters cannot be attended to remotely; or
 - (ii) to access materials, goods or supplies that may be necessary for the business to be operated remotely.

8. Remote Work

None of the above precludes a business from operating remotely, without persons attending at the workplace premises referred to in this Order.

9. Instructions of the Associate Medical Officer of Health

The following instructions shall be communicated by the owners or occupiers of a workplace premises or persons responsible for a business or organization to all workers and followed by all workers impacted by a s. 5 closure/mass dismissal notification:

- 9.1 Workers are required to self-isolate as follows:
 - (a) COVID-19 positive workers, workers who have been identified as a close contact, or workers who are or become symptomatic must self-isolate as set out in the S. 22 Class Order of Dr. Lawrence Loh, Medical Officer of Health for The Regional Municipality of Peel, dated February 24, 2021.
 - (b) Workers of a workplace premises under closure notice who are not symptomatic must self-isolate for a period of 10 calendar days or for such time as the workplace premises is closed.
- 9.2 Workers of a closed workplace premises shall not work in another workplace during their period of isolation.
- 9.3
 - (a) Symptomatic workers should be tested as soon as possible from the date of onset of symptoms.
 - (b) Workers who test positive for COVID-19 should notify their employer immediately.
 - (c) Asymptomatic workers are encouraged to seek testing.
- 9.4 Testing is not required to re-open the workplace premises or for a worker to return to work if they are asymptomatic.

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10. Owners, operators or persons responsible for a workplace premises that has been closed by notice under this Order shall post the notice at the entrance in a manner that is conspicuous to the public in a form provided by Peel Public Health indicating the workplace premises is closed.
11. This Order comes into effect on the day it is made, except for sections 5, 6, 7, 8, 9 and 10, which shall come into effect at 12:01AM on Friday, April 23rd, 2021.

THE REASONS FOR THIS ORDER ARE THAT:

1. COVID-19 is a disease of public health significance, and a disease that has been designated as communicable under Ontario Regulation 135/18 as amended, and a disease which is communicable from person to person by the SARS-CoV-2 virus. COVID-19 has been declared a pandemic by the World Health Organization. The Province of Ontario, The Regional Municipality of Peel, The Corporation of the City of Mississauga, The Corporation of the City of Brampton and The Corporation of the Town of Caledon had all declared an emergency under the *Emergency Management and Civil Protection Act* as a result of the COVID-19 pandemic, and there is continuing provincial regulation under the *Reopening Ontario Act (A Flexible Response to COVID 19) Act*.
2. COVID-19 is present in high numbers in The Regional Municipality of Peel and therefore poses a risk to the health of the residents of The Regional Municipality of Peel through community transmission.
3. The SARS-CoV-2 virus is spread from an infected person to another person by direct or indirect contact or when respiratory secretions from the infected person enter the eyes, nose, or mouth of another person.
4. The risk of transmission of SARS-CoV-2 is greatest in close contact environments, including workplace premises, where persons are within two metres of others and/or without face coverings and/or where there is poor ventilation. Persons may be infected with the SARS-CoV-2 virus without showing symptoms, and may spread SARS-CoV-2 to co-workers, patrons and other persons within workplace premise facilities, to their families after being on the workplace premises, and to others they come into contact with.
5. Mutations of the SARS-CoV-2 virus have been observed globally. Viruses, in particular RNA viruses such as coronaviruses, constantly evolve through mutations, and while most will not have a significant impact, some mutations may provide the virus with a select advantage such as increased transmissibility and severity of illness. Such mutations are cause for concern and need to be monitored closely. New SARS-CoV-2 variants of concern that are more transmissible and common across the province of Ontario including the region of Peel and increasing as a share of confirmed cases. COVID-19 variants of

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concern have now been identified in workplace premises, among many other settings.

6. Peel Public Health has observed outbreaks involving variants of concern that are larger than non-variants of concern outbreaks of COVID-19. The number and size of these variants of concern outbreaks is increasingly causing more workplace-related transmission and need for workplace closures than previous waves of COVID-19. Local health care capacity and public health capacity continue to be strained to respond to these cases in a timely manner.
7. To contain the spread of the SARS-CoV-2 virus, individuals experiencing symptoms consistent with COVID-19 or who are or may be infected with SARS-CoV-2 or who have tested positive for COVID-19 are required to isolate themselves from other people until they are no longer under investigation for COVID-19. Isolation ensures that these people will not spread their infection to others should they have COVID-19 or become ill with COVID-19.
8. It is critical for workplaces to identify and instruct those described in this Order and to take the steps required in this Order, and to contact Peel Public Health with immediate and fulsome communication from the owner or occupier of premises where such persons have been or are present, with no delay so that further transmission of SARS-CoV-2 can be halted and ameliorated as best as possible, to save lives and prevent serious illness.

I am of the opinion, on reasonable and probable grounds, that:

- a) a communicable disease exists or may exist or there is an immediate risk of an outbreak of a communicable disease in the health unit served by me,
- b) the communicable disease presents a risk to the health of persons in the health unit served by me, and,
- c) the requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by the communicable disease.

I am also of the opinion that the delivery of notice of this Order to each and every member of the class to which it is addressed is likely to cause a delay that could significantly increase the risk to the health of any person residing in the health unit served by me, so notice shall be provided through the public media and the internet via posting on the Peel Public Health website at:

<http://peelregion.ca/coronavirus/>

TAKE NOTICE THAT in accordance with section 44(1) of the *Health Protection and Promotion Act*, each member of the class to which this Order is addressed is entitled to a hearing before the Health Services Appeal and

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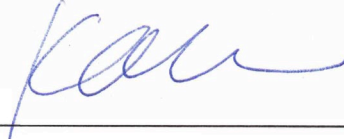
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Review Board if the class member has delivered to me as below and to the Health Services Appeal and Review Board, 151 Bloor Street West, 9th Floor, Toronto, Ontario, M5S 1S4, notice in writing requesting a hearing, within 15 days after service of this Order or otherwise in accordance with applicable law.

AND TAKE FURTHER NOTICE THAT although a hearing may be requested, this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

FAILURE to comply with this Order is an offence for which an individual class member may be liable, on conviction, to a fine of not more than \$5,000.00 and a corporation may be liable, on conviction, to a fine of not more than \$25,000.00, each for every day or part of each day on which the offence occurs or continues.



Katherine Bingham, MD MSc CCFP(EM) FRCPC
Associate Medical Officer of Health
The Regional Municipality of Peel – Public
Health
7120 Hurontario Street
PO Box 667 RPO Streetsville
Mississauga, ON L5M 2C2

This Order shall be posted on the Peel Public Health website at:
<http://peelregion.ca/coronavirus/>

Inquiries about this Order should be directed to Peel Public Health at 905-799-7700 or for Caledon 905-584-2216.